UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,486	01/12/2001	Daniel Pelletier	US 010002	1745

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EXAMINER
LONG, HEATHER R

ART UNIT	PAPER NUMBER
2615	

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)
Office Action Summary	09/759,486	PELLETIER, DANIEL
	Examiner	Art Unit	
	Heather R Long	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 July 2004</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-19</u> is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-19</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>12 January 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a)☐ All b)☐ Some * c)☐ None of:
　　　　1.☐ Certified copies of the priority documents have been received.
　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.
　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments, filed July 6, 2004, with respect to the rejection(s)of

claim(s) 1-17 have been fully considered and are persuasive. Therefore, the rejection

has been withdrawn. However, upon further consideration, a new ground(s) of rejection

is made in view of newly found prior art references.

Specification

2.   Claims 18 and 19 are objected to because of the following informalities:

a.   Claim 18, line 3: change "closet" to --closest--.

b.   Claim 19, line 3: change "closet" to --closest--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-12 and 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated

by Chim (U.S. Patent 6,275,258).

Regarding claim **1**, Chim discloses a method for automatically controlling the movements of at least one camera or camera lens to change the prospective of a scene viewed by the camera at least one camera or camera lens, the method comprising the steps of: selecting at least one sequence of camera parametrics from a plurality of sequences of camera parametrics, wherein the parametrics provide instruction to control movement of the at least one camera or camera lens (it is inherent that the selected parameters are already installed and selected on the camera in order for the camera to be able to perform the sequences); determining criteria for executing the selected sequence of camera parametrics, wherein the criteria are responsive to at least one high level parameter of at least one object contained in the scene (col. 4, lines 34-42); and adjusting movement of the at least one camera or camera lens in response to the determined criteria (col. 8, lines 26-44).

Regarding claim **2**, Chim discloses a method as described in claim 1, wherein at least the one sequence of camera parametrics is selected from the group of camera movements including scanning, zooming, tilting, orientating, panning, fading, zoom- and- pull-back, fade-in, and fade-out (col. 4, lines 51-54; col. 8, lines 41-44).

Regarding claim **3**, Chim discloses a method as described in claim 1, wherein the at least one high level parameter includes the number of objects within the scene (the system can determine the current speaker from several different speakers (col. 4, lines 63-67) from the different signal levels transmitted

by the microphones). Therefore, the one high level parameter inherently

includes the number of objects since there is more than one speaker.

Regarding claim **4**, Chim discloses a method as described in claim 1,

wherein the at least one high level parameter includes the position of at least one

object within the scene (col. 4, lines 64-67).

Regarding claim **5**, Chim discloses a method as described in claim 1,

wherein the at least one high level parameter includes speech recognition of at

least one object within the scene (col. 4, lines 34-42).

Regarding claim **6**, Chim discloses a method as described in claim 1,

wherein the at least one high level parameter includes an audio input of at least

one object within the scene (col. 4, lines 34-42).

Regarding claim **7**, Chim discloses an apparatus for automatically

controlling the movements of at least one camera or camera lens to change the

prospective of a scene viewed by the at least one camera or camera lens, the

apparatus comprising: a processor operative to: receive a first input for selecting

at least one sequence of camera parametrics from a plurality of sequences of

camera parametrics, wherein the parametrics provide instruction to control

movement of the ate least one camera or camera lens (it is inherent that the

selected parameters are already installed and selected on the camera in order

for the camera to be able to perform the sequences); receive a second input

comprising at least one high level parameter of at least one object contained in

the scene; determine criteria for executing the selected sequence of camera

parametrics, wherein the criteria are responsive to the at least one high level

parameter (col. 4, lines 34-42); and means for adjusting movement of the at least

one camera or camera lens in response to the determined criteria (col. 8, lines

26-44).

Regarding claim **8**, Chim discloses an apparatus as described by claim 7,

wherein the first input is selected from the group of camera movements including

scanning, zooming, tilting, orientating, panning, fading, zoom-and-pull-back,

fade-in, and fade-out (col. 4, lines 51-54; col. 8, lines 41-44.

Regarding claim **9**, Chim discloses an apparatus as described by claim 7,

wherein the at least one high level parameter includes the number of objects

within the scene (the system can determine the current speaker from several

different speakers (col. 4, lines 63-67) from the different signal levels transmitted

by the microphones). Therefore, the one high level parameter inherently

includes the number of objects since there is more than one speaker.

Regarding claim **10**, Chim discloses an apparatus as described by claim

7, wherein the at least one high level parameter includes the position of at least

one object within the scene (col. 4, lines 64-67).

Regarding claim **11**, Chim discloses an apparatus as described by claim

7, wherein the at least one high level parameter includes speech recognition of at

least one object within the scene (col. 4, lines 34-42).

Regarding claim **12**, Chim discloses an apparatus as described by claim

7, wherein the at least one high level parameter includes an audio input of at

least one object within the scene (col. 4, lines 34-42).

Regarding claim **16**, Chim discloses an apparatus as described by claim

7, wherein the camera movement is accomplished electronically (col. 4, lines 16-

21).

Regarding claim **17**, Chim discloses an apparatus as described by claim

7, wherein the camera movement is accomplished mechanically (col. 4, lines 40-

42).

Regarding claim **18**, Chim discloses a method as described by claim 1,

including: locating the at least one object in an image of the scene (col. 4, lines

63-67); determining the object closest to a predetermined location in the image (it

is inherent that the system determines how far away the current speaker is from

the last speaker in order to readjust the camera accordingly); adjusting the

movement of the at least one camera or camera lens in response to the

determination (col. 8, lines 41-44).

Regarding claim **19**, Chim discloses a method as described by claim 1,

including: locating the at least one object in an image of the scene (col. 4, lines

63-67); determining the object closest to center of the image (it is inherent that

the system determines how far away the current speaker is from the last

speaker, which would be in the center of the scene, in order to readjust the

camera accordingly); determining the percentage of the scene around the closest

object (it is inherent that the percentage of the scene is determined in order to

figure out how far the camera needs to be zoomed in or out); adjusting the zoom

level of the at least one camera or camera lens to the percentage determination

(it is inherent that once the percentage has been determined it will be used to

adjust the zoom accordingly).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Chim, as applied to claim 7 above.

Regarding claims **13-15**, Chim discloses all subject matter as discussed

with claim 7, except that the means for adjusting the camera movement effects

outputting of the criteria over a serial connection, parallel connection, or a

network. Official Notice is taken that outputting of the criteria over be output over

a serial connection, parallel connection, or a network.

Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to have a serial connection, parallel connection,

or a network to output criteria for adjusting the camera movements because it is

well known in the art to use any of these connections to transmit data from one

device to another.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Heather R Long whose telephone number is 703-305-

0681. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and

every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Heather R Long
Examiner
Art Unit 2615

HRL
October 28, 2004

TUAN HO
PRIMARY EXAMINER